

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

GARY L. GENTRY,)	
)	
Plaintiff,)	
)	
v.)	No. 3:14-CV-191-PLR-HBG
)	
DENNIS NICELY, <i>et al.</i> ,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion to Compel [Doc. 23], filed by Defendants Dennis Nicely, Scott Graves, and Earl Loy, Jr. Therein, the Defendants represent that interrogatories and requests for production were served upon counsel for the Plaintiff on September 12, 2014. Defendants represent that, despite follow-up correspondence from defense counsel, Plaintiff has failed to provide full and complete responses to written discovery served upon him on September 12, 2014.

The Defendants' Motion to Compel was filed on December 12, 2014. The Plaintiff has failed to respond in opposition to the Motion to Compel. The time for doing so has expired. See E.D. Tenn. L.R. 7.1; Fed. R. Civ. P. 5 & 6. "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D. Tenn. L.R. 7.2. The Court finds that the Plaintiff's failure to file a timely response in opposition to the relief sought by the Defendants may be treated as acquiescence to the relief sought.

In addition, the Court finds that the Plaintiff has not responded to the discovery requests within the time permitted under the Federal Rules of Civil Procedure. The Court finds that the Defendants have demonstrated good cause for compelling the Plaintiff to fully respond to the interrogatories and requests for production that have been served upon him.

Accordingly, the Court finds that the Defendants' Motion to Compel [**Doc. 23**] is well-taken, and it is **GRANTED**. Plaintiff is **ORDERED** to serve counsel for the Defendants with full and complete responses to the interrogatories and requests for production served September 12, 2014, on or before **February 13, 2015**.

The Court acknowledges that it is appropriate to afford *pro se* litigants degree of latitude, see Boswell v. Mayer, 169 F.3d 384, 387 (6th Cir. 1999), but the Plaintiff, despite his *pro se* status, must comply with the deadlines set by this Court and the Federal Rules of Civil Procedure. Given the Plaintiff's *pro se* status, the Court finds that it is not appropriate to award fees or costs at this time, but the Plaintiff is hereby **ADMONISHED** that failure to comply with this Memorandum and Order or any other Order of the Court in the future is likely to result in the imposition of sanctions including an award of fees and/or a recommendation that these cases be dismissed, pursuant to Rule 37(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

ENTER:


United States Magistrate Judge